



KENNETH A. GIBSON

MAYOR

NEWARK, NEW JERSEY

07102



June 4, 1976

Hon. Brendan T. Byrne
Governor
State of New Jersey
Trenton, New Jersey

Dear Gov. Byrne:

I am requesting that you by virtue of your powers granted in N.J.S.A. 52:17B-106 direct the Attorney General to supercede the Essex County Prosecutor for the purpose of prosecuting all criminal matters arising out of the disturbance that occurred at the Office of the Mayor of the City of Newark on March 23, 1976.

On that date an unruly mob of pushing and shouting people, led by Councilman Anthony Carrino and State Senator Anthony Imperiale, forced their way into my office. The personnel in my office were threatened, cursed and abused. My office door was broken into, a police officer in my office was assaulted, and a desk set smashed on my desk.

This group, which can only be described as a mob, continued to threaten, abuse and curse other city personnel and me. This mob was being actively led and encouraged by the two public officials mentioned above. Reference was made by one official to the 1967 disturbance by indicating that a similar holocaust could be visited upon our city. This incident received widespread coverage in the newspapers, and on television and radio.

Mr. Carrino publicly admitted kicking in the door to the Mayor's office. He also claimed responsibility for smashing a desk pen set belonging to me.

No arrests were made at the scene. Later, four criminal complaints were filed in the Newark Municipal Court against Mr. Carrino; one

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for atrocious assault and battery on a police officer, one for simple assault and battery, one for assault and one for malicious damage of property. Two of the complaints were referred to an Essex County Grand Jury, the atrocious assault and battery on a police officer and the malicious damage charges because both of these are indictable offenses.

On March 25, 1976 in a personal letter to Essex County Prosecutor Joseph Lordi, I asked the Prosecutor to conduct an investigation into this incident to determine if any violations of the law occurred "so that the leaders and participants in this act of mob violence do not go unpunished."

A Grand Jury met for three days, hearing from over thirty-five witnesses. The Grand Jury dismissed the two complaints against Mr. Carrino that had been forwarded to it from the Newark Municipal Court and did not indict anyone for any acts that occurred in City Hall on March 23, 1976. All of this information was reported in the newspapers.

The Administration of the City of Newark is not satisfied with the investigation and findings of the Grand Jury. A mob, whether it is made up of citizens rallying to express a grievance or anyone else, cannot be allowed to force their way into offices of the government, destroy property of the government, threaten government employees and disrupt the government business. The governmental process cannot be allowed to be controlled by mob pressures. Here the incident was accentuated by the fact that the mob was led and urged on by two elected officials, a "councilman and a State Senator. They, more than anyone else, should know that government cannot function in this manner. Other citizens must be made aware of the fact that this type of action will not be tolerated.

I am forwarding to you a copy of the investigation that was done by the City of Newark. It includes statements taken from witnesses to the incident. Due to the seriousness of this incident and the failure of the Essex County Grand Jury to return any indictments or make any statement deploring the acts of violence, I am requesting that you direct the Attorney General to cause this incident to be investigated by a State Grand Jury to insure that this matter is given careful scrutiny unaffected by local considerations.

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Very truly yours,



Kenneth A. Gibson

cc: William F. Hyland, Attorney General
Joseph P. Lordi, Prosecutor